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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/979,527

11/19/2001

Alan F Savicki

492.188

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27023

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09/06/2006

THE GLAD PRODUCTS COMPANY  
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EXAMINER

MENEZES, MARCUS

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |  |                     |  |
|------------------------------|------------------------|--|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> |  | <b>Applicant(s)</b> |  |
|                              | 09/979,527             |  | SAVICKI, ALAN F     |  |
|                              | <b>Examiner</b>        |  | <b>Art Unit</b>     |  |
|                              | Marcus Menezes         |  | 3677                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2-4, 15-19, 44-48, 60-62 and 73-77 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4, 15-19, 44-48, 60-62 and 73-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

- Examiner apologizes for stating in the previous office action that claims 18,47 and 76 were allowable if rewritten in independent form. However, Applicant should note that this does not constitute a final office action.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

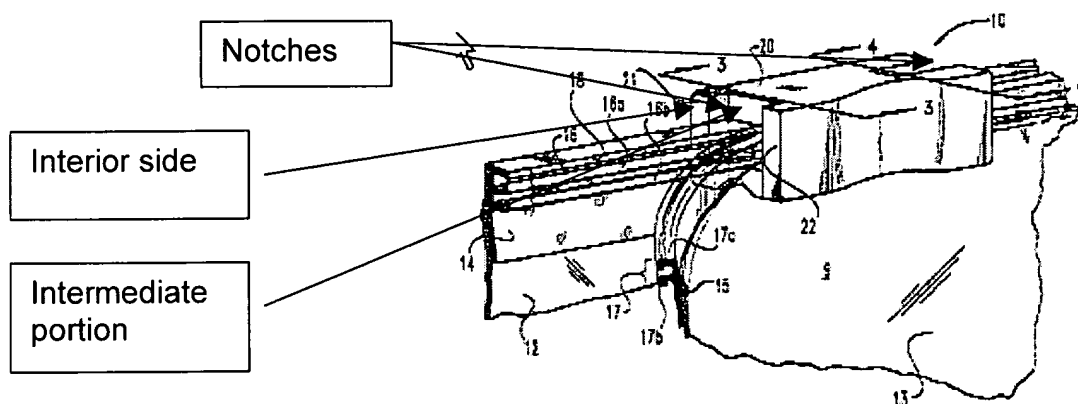
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2-4,15-19,44-48,60-62 and 73-77 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by O'Connor et al. (US Patent No. 5,956,815, hereinafter "O'Connor").

O'Connor discloses a pair of complementary sheets (12,13); a pair of interlocking fastening strips (14,15) having first and second ends and being disposed along edge portions of the complementary sheets; and a slider member (10) movably installed upon the interlocking fastening strips, the slider member facilitating the occlusion of the interlocking fastening strips when moved towards the first end thereof, the slider member having a pair of spaced-apart side walls (21,22) which are positioned on opposite sides of the interlocking fastening strips, an intermediate body portion (20) between the side walls which is positioned upon the interlocking fastening strips, and two notches formed in the intermediate body portion which is adapted to engage a cooperating protrusion (30) formed on one of the interlocking fastening strips at the first

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end thereof to obstruct movement of the slider member beyond said first end; wherein the notch has a generally rectangular configuration and a pair of opposed interior sides and an intermediate portion therebetween wherein the intermediate portion and the opposed interior sides of the notch converge along substantially vertical internal corners. (See below, col. 6, lines 40-47 and Figs. 1-2).



Further, the slider member includes a second notch (30) which is adapted to engage a second protrusion formed on one of the interlocking fastening strips at a second end thereof to obstruct movement of the slider member beyond the second end. (See Fig. 1). Moreover, the protrusion includes opposed exterior sides which are adapted to become wedged between opposed interior sides of the notch to restrict disengagement of the slider member from the interlocking fastening strip when the slider member is moved toward the first end thereof. Also, the notch is formed in the intermediate body portion thereof. Additionally, the opposed interior sides of the notch are substantially parallel with respect to each other and the intermediate portion and the opposed interior sides of the notch are substantially planar and have generally rectangular

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configurations. O'Connor further discloses that the intermediate portion of the notch includes substantially vertical external corners.

***Response to Arguments***

3. Applicant's arguments with respect to claims 2-4,15-19,44-48,60-62 and 73-77 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Menezes whose telephone number is 571-272-6284. The examiner can normally be reached on 8:00am - 5:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

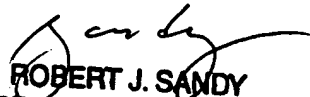
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcus Menezes

Examiner

Art Unit 3677

MM

  
**ROBERT J. SANDY**  
PRIMARY EXAMINER